IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 17654 of 2007(B)

PETITIONER:

THANKAPPAN, SON OF VASU,
KATTEZHATHU HOUSE, THIRUVENKITAPURAM, VAIKOM.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:

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1. THE RETURNING OFFICER,
SENIOR CO-OPERATIVE INSPECTOR, COIR PROJECT OFFICE
VAIKOM, KOTTAYAM.

2. THE PROJECT OFFICER,
COIR PROJECT OFFICE, VAIKOM, KOTTAYAM.

3. PARAKKATTUKULANGARA COIR VYAVASAYA
CO-OPERATIVE SOCIETY LTD.NO.K.675, T.V.PURAM,
P.O. VAIKOM, REPRESENTED BY ITS SECRETARY.

4. CHELLAPPAN KUNJAN,
MAYAMPARAMBIL, T.V.PURAM P.O., VAIKOM.

BY ADV. SRI.T.A.SHAJI
SMT.T.V.NEEMA
GOVT. PLEADER SRI.P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.17654 of 2007

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Dated this the 19th day of June, 2007

JUDGMENT

Petitioner belongs to Scheduled Caste. He filed nomination on 4.6.2006. 5.6.2007 was fixed as the date for scrutiny. According to the petitioner he was present and he produced the document at 11.35 a.m.. There were 19 nominations. It is his case that the fourth respondent is also a Scheduled Caste candidate. He produced the certificate on the same day at 11.20 a.m., and both had obtained the certificates on the same day.

2. Case of the fourth respondent is that the petitioner was not present on 5.6.2007 and he did not produce it on that day.

3. Learned Government Pleader on instructions submits that actually Ext.P3 representation was received only on 6.6.2007.

Respectfully following the judgment of the Division Bench of this court reported in **Subramanian v. Devicolam Taluk Plantation Workers Co-operative Credit Society** (2004(3) K.L.T. SN 105) in the nature of the dispute and leaving open the right of the petitioner to challenge the election of the fourth respondent, the writ petition is dismissed.

(K.M. JOSEPH, JUDGE)

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